

REMARKS

The Office Action alleges that the specification contains sequence disclosures such that pursuant to 37 C.F.R. Section 1.821-1.825 requires a sequence listing.

Applicants respectfully pointed out before and point out again that while the rules cited above require sequences of four or more (see for example 37 C.F.R. 1.821(a)) amino acids, but that this does not make sense in the context of the present case. In the instant case, various substrates of the 20S proteasome are mentioned and such substrates consist for the most part of two, three or four amino acids, of which the first one and the last one are modified. Those substrates were known in the art and Applicants believe it makes no sense to submit a sequence listing which mentions, for example, the amino acid sequence "Leu-Leu-Arg". A sequence listing in this form would be completely useless because the disclosure of known substrates of the 20s proteasome is not material the assessment of patentability of the present invention. Applicants respectfully assert that it is not simply their own opinion in this matter. In the corresponding European case, EP 1 382 691, the European Patent Office which operates under these same sequence listing rules allowed this patent to be granted without requiring such a sequence listing.

However, to remove issues from the case, Applicants are now filing herewith a Sequence Listing for the nucleotide/amino acid sequence(s) in this application and 3.5 inch labeled diskette having thereon a substitute computer readable form copy of the substitute Sequence Listing for sequences having four or more amino acids, namely SEQ ID NOs 1 and 2, respectively. The attached diskette is labeled in accordance with 37 C.F.R. 1.824(a)(6) and is submitted in the American Standard Code for Information Interchange (ASCII) text. Applicants have also above provided the required amendment specifically directing entry of the paper copy of the Sequence Listing into the application. Applicants have also amended the specification to add SEQ ID NOs where appropriate.

Herein below is the required statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing as required by 37 C.F.R. Section 1.821(g). Also included herein below is a statement that the submission includes no new matter.